

MONDAY, MARCH 31, 2014

FIFTY-EIGHTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Chad Clanton, Gum Springs Baptist Church, Lawrenceburg, TN.

Representative Doss led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 91

Representatives present were Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Todd; personal

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 857 Rep(s). Gilmore as prime sponsor(s).

House Joint Resolution No. 888 Rep(s). Lynn as prime sponsor(s).

House Joint Resolution No. 889 Rep(s). Lynn as prime sponsor(s).

House Bill No. 1989 Rep(s). Holt, Evans and Coley as prime sponsor(s).

3389

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Bill No. 2304 Rep(s). D. White, Moody, Hardaway, Coley and M. White as prime sponsor(s).

House Bill No. 2415 Rep(s). Moody as prime sponsor(s).

House Bill No. 2445 Rep(s). Lynn, Tidwell, Powell and Parkinson as prime sponsor(s).

**MESSAGE FROM THE SENATE
March 28, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 790, 792, 793, 794, 795, 796, 798, 799, 800 and 831; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 28, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 790, 792, 793, 794, 795, 796, 798, 799, 800 and 831; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 28, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2464; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2464 -- Annexation - As introduced, abolishes annexation by ordinance at the initiative of the municipality. - Amends TCA Title 6, Chapter 51 and Title 6, Chapter 58. by *Watson, *Crowe, *Norris, *Kelsey, *McNally, *Tate, *Campfield, *Massey, *Gardenhire, *Beavers, *Bowling, *Ketron, *Tracy. (*HB2371 by *Carter, *Carr J, *Casada, *Rogers, *VanHuss, *Spivey, *Shipley, *Hall, *Matheny, *Lynn, *Hill T, *Butt, *Matlock, *Calfee, *White M, *Doss, *Faison, *Rich, *Keisling, *Holt, *Dunn, *Sanderson, *Pody, *Durham, *Williams K, *Todd, *Sparks, *Haynes, *Ragan, *Shepard, *Dean, *McCormick, *Sexton, *Bailey, *Coley, *Travis, *Kane, *Forgety, *Alexander, *Lollar, *Weaver, *Hill M, *Halford, *Hawk, *Watson, *Littleton, *McManus, *Floyd, *Lamberth, *Odom, *Love, *White D, *Moody, *Dennis, *Brooks H, *DeBerry J, *Powers, *Brooks K, *Farmer, *Womick, *Evans)

**MESSAGE FROM THE GOVERNOR
March 28, 2014**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1618, 1647, 1918, 1928, 1947, 2262 and 2463; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE SENATE
March 31, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 733; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 733 -- Memorials, Public Service - Senator Lowe Finney. by *Kyle.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Butt was recognized in the well to honor Brittney Danielle Redden, 2014 Mule Day Queen.

RESOLUTION READ

The Clerk read House Resolution No. 198, adopted March 27, 2014, to recognize Brittney Danielle Redden, Mule Day Queen of 2014.

House Resolution No. 198 -- Memorials, Recognition - Brittney Danielle Redden, Mule Day Queen 2014. by *Butt, *Shepard.

RECOGNITION IN THE WELL

Representative Gilmore was recognized in the Well to honor The Links Days on Capitol Hill.

RESOLUTION READ

The Clerk read House Joint Resolution No. 724, adopted March 3, 2014, recognizing the Links Days on Capitol Hill.

House Joint Resolution No. 724 -- Memorials, Recognition - The Links Days on Capitol Hill. by *Gilmore, *Carr D.

RECOGNITION IN THE WELL

Representative Travis was recognized in the Well to present Bobby Clay Worthington for his expertise in archery.

RESOLUTION READ

The Clerk read House Joint Resolution No. 757, adopted March 10, 2014, honoring Bobby Clay Worthington for his achievements in the field of archery.

House Joint Resolution No. 757 -- Memorials, Sports - Bobby Clay Worthington, archery. by *Travis, *Bailey, *Sexton.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 2, 2014:

House Resolution No. 202 -- Memorials, Interns - Destiny Spencer. by *Marsh, *Swann.

House Resolution No. 203 -- Memorials, Interns - Michael Gatwec Joak. by *Marsh, *Swann.

House Resolution No. 204 -- Memorials, Recognition - Pamela Marshall. by *Cooper.

House Resolution No. 205 -- Memorials, Interns - Michael Patrick Olson. by *Dunn.

House Resolution No. 206 -- Memorials, Personal Achievement - Celia Denney, 2014 Prudential Spirit of Community Award. by *Sexton.

House Joint Resolution No. 890 -- Memorials, Death - Gail Kerr. by *Mitchell.

House Joint Resolution No. 891 -- Memorials, Academic Achievement - Janice Kathryn Allen, Salutatorian, Sequatchie High School. by *Travis.

House Joint Resolution No. 892 -- Memorials, Academic Achievement - Peggy Johnson, Valedictorian, Sequatchie County High School. by *Travis.

House Joint Resolution No. 900 -- Memorials, Professional Achievement - Mitzi Smith, Watertown Elementary School Assistant Principal. by *Pody.

House Joint Resolution No. 901 -- Memorials, Sports - Calvin C. "Bud" Willis. by *Hill M, *VanHuss, *Hill T.

House Joint Resolution No. 902 -- Memorials, Public Service - Roy H. Bledsoe. by *Matlock, *Calfee.

House Joint Resolution No. 903 -- Memorials, Recognition - Dr. Coby V. Smith. by *Cooper.

House Joint Resolution No. 905 -- Memorials, Recognition - Sandy Foust. by *Wirgau.

House Joint Resolution No. 906 -- Memorials, Personal Occasion - Willie Griffith, 105th birthday. by *Wirgau.

House Joint Resolution No. 908 -- Memorials, Sports - Dyer County High School, Cheerleading National Champions. by *Sanderson.

House Joint Resolution No. 910 -- Memorials, Sports - South Nashville All Stars Little League, U.S. Little League World Series participants. by *Powell, *Stewart, *Jones, *Love, *Casada, *Durham, *Sargent, *Harwell.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 2, 2014:

Senate Joint Resolution No. 683 -- Memorials, Death - Juanita Kreis Smith. by *Yager.

Senate Joint Resolution No. 684 -- Memorials, Death - Joseph Vann Mullins. by *Burks.

Senate Joint Resolution No. 685 -- Memorials, Retirement - Judge John Maddux. by *Burks.

Senate Joint Resolution No. 686 -- Memorials, Retirement - Judge Leon Burns. by *Burks.

Senate Joint Resolution No. 687 -- Memorials, Death - Reverend Carson Dewitt Sampley. by *Burks.

Senate Joint Resolution No. 688 -- Memorials, Retirement - Jimmie Webber. by *Burks.

Senate Joint Resolution No. 689 -- Memorials, Retirement - Stephen C. Reynolds. by *Norris.

Senate Joint Resolution No. 690 -- Memorials, Sports - Shawn Jones, Conference USA Player of the Year. by *Ketron, *Tracy.

Senate Joint Resolution No. 691 -- Memorials, Sports - Blackman High School boys' basketball team, Class AAA State Champions. by *Ketron, *Tracy.

Senate Joint Resolution No. 692 -- Memorials, Sports - Blackman High School girls' basketball team, Class AAA State Champions. by *Ketron, *Tracy.

Senate Joint Resolution No. 693 -- Memorials, Sports - Lily Turaski, 2013 National Champion Junior Rider. by *Overbey.

Senate Joint Resolution No. 694 -- Memorials, Recognition - Billy G. Smith. by *Burks

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 96** -- Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits property insurance companies from using customer inquiries as reasons to nonrenew or cancel the policy; creates property insurance guidelines for cancellation and nonrenewal. - Amends TCA Title 56 and Title 66. by *Finney, *Ford. (HB94 by *Stewart)

Senate Bill No. 1358 -- Education - As introduced, requires all driver education courses to instruct students of the dangers and criminal penalties for texting while driving. - Amends TCA Title 49. by *Johnson, *Gardenhire, *Bowling. (*HB1285 by *McManus, *Matlock, *Hall, *Brooks K, *DeBerry J, *Shipley, *Johnson C, *Powers, *Rogers, *Casada, *Lynn, *Durham, *Lundberg, *Dennis, *Floyd, *Sparks, *Sargent, *Matheny, *Goins, *Carr J, *Spivey, *Pody, *Butt, *Evans)

***Senate Bill No. 1481** -- Securities - As introduced, creates the "Invest Tennessee Exemption" permitting the intra-state sale of securities totaling less than \$1 million. - Amends TCA Title 48. by *Kelsey, *Finney, *Overbey. (HB1684 by *Durham, *Fitzhugh)

***Senate Bill No. 1495** -- State Symbols - As introduced, designates dogs and cats that are adopted from Tennessee animal shelters as the official state pet. - Amends TCA Title 4, Chapter 1, Part 3. by *Campfield, *Ford, *Kyle, *Summerville. (HB1406 by *Dunn)

***Senate Bill No. 1699** -- Welfare - As introduced, requires owners and operators of automated teller machines to disable their machines from accepting electronic benefit transfer cards in locations of certain kinds of businesses. - Amends TCA Title 71. by *Campfield, *Bowling. (HB1538 by *Weaver, *Butt, *Doss, *Shipley, *Halford, *Keisling, *Lynn, *Rogers, *Moody, *White M)

Senate Bill No. 1778 -- Lottery, Scholarships and Programs - As introduced, allows a Tennessee student graduating from an out-of-state boarding school that is accredited by a member of the National Association of Independent Schools Commission on Accreditation to be eligible for Tennessee HOPE lottery scholarship, if the student meets all other applicable requirements for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by *Crowe. (*HB1500 by *Lundberg)

***Senate Bill No. 1808** -- Employees, Employers - As introduced, creates the "Employee Online Privacy Act of 2014" which prevents an employer from requiring an employee to disclose the username and password for the employee's personal internet account except under certain circumstances. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 18; Title 49 and Title 50. by *Niceley. (HB1852 by *Roach, *Faison)

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 1904** -- Drugs, Over the Counter - As introduced, authorizes pharmacists to submit data entry error corrections concerning errors in the submission of purchases of immediate methamphetamine precursor to the NPLEx and prohibits stop sale orders with respect to cases where the correction applies. - Amends TCA Section 39-17-431 and Title 53, Chapter 10. by *Haile. (HB1858 by *Spivey)

***Senate Bill No. 1905** -- Lottery, Scholarships and Programs - As introduced, allows students who would have qualified for the STEP UP scholarship, if the scholarship had been in effect in 2012-2013, to receive the scholarship as second year students in 2013-2014; provided the students meet the continuation requirements for the scholarship at the end of their first year of study. - Amends TCA Section 49-4-943. by *Overbey, *Finney, *Massey, *Yager. (HB1876 by *Ramsey)

***Senate Bill No. 1940** -- Education, Curriculum - As introduced, requires every LEA required to provide family life curriculum to provide the department of education and the state board of education with a list of the specific curriculum used to teach the family life curriculum; requires the report to include the contact information of every individual, non-LEA employee or organization authorized to teach the family life curriculum. - Amends TCA Title 49, Chapter 6, Part 13. by *Johnson, *Bowling. (HB1871 by *Coley, *Williams R)

***Senate Bill No. 2073** -- Local Education Agencies - As introduced, defines as confidential, information relative to school safety plans; provides that meetings involving school safety plans are not subject to the open meetings laws. - Amends TCA Title 8; Title 10 and Title 49. by *Haile, *Bowling, *Finney. (HB2217 by *Weaver, *Dunn, *Brooks H, *White D, *Moody, *Kane)

***Senate Bill No. 2243** -- Highways, Roads and Bridges - As introduced, directs the department of transportation to study the feasibility and cost of making crosswalks, as well as public transportation, more accessible for the sight-impaired. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 54; Title 64 and Title 67. by *Tracy, *McNally. (HB2156 by *Durham, *Dean, *Sparks)

Senate Bill No. 2246 -- Education - As introduced, requires schools and LEAs to encourage various measures to limit students' exposure to harmful substances while at school. - Amends TCA Title 49. by *Hensley. (*HB2049 by *Gilmore, *DeBerry J, *Casada, *Shepard)

***Senate Bill No. 2350** -- Law Enforcement - As introduced, permits electronic citations for certain traffic offenses; authorizes court clerks to charge a \$5.00 electronic citation fee for each citation resulting in conviction; splits fee between the court clerk and law enforcement agency. - Amends TCA Title 55, Chapter 10, Part 2. by *Ketron. (HB2368 by *Watson, *Dean, *Camper, *Littleton, *Ramsey)

***Senate Bill No. 2370** -- Teachers, Principals and School Personnel - As introduced, specifies that the provisions regarding suspensions imposed by the director of schools for three days or less apply to suspensions of teachers. - Amends TCA Title 49. by *Tate. (HB2125 by *Pitts)

Senate Bill No. 2464 -- Annexation - As introduced, abolishes annexation by ordinance at the initiative of the municipality. - Amends TCA Title 6, Chapter 51 and Title 6, Chapter 58. by *Watson, *Crowe, *Norris, *Kelsey, *McNally, *Tate, *Campfield, *Massey, *Gardenhire, *Beavers, *Bowling, *Ketron, *Tracy. (*HB2371 by *Carter, *Carr J, *Casada, *Rogers,

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

*VanHuss, *Spivey, *Shipley, *Hall, *Matheny, *Lynn, *Hill T, *Butt, *Matlock, *Calfee, *White M, *Doss, *Faison, *Rich, *Keisling, *Holt, *Dunn, *Sanderson, *Pody, *Durham, *Williams K, *Todd, *Sparks, *Haynes, *Ragan, *Shepard, *Dean, *McCormick, *Sexton, *Bailey, *Coley, *Travis, *Kane, *Forgety, *Alexander, *Lollar, *Weaver, *Hill M, *Halford, *Hawk, *Watson, *Littleton, *McManus, *Floyd, *Lamberth, *Odom, *Love, *White D, *Moody, *Dennis, *Brooks H, *DeBerry J, *Powers, *Brooks K, *Farmer, *Womick, *Evans)

Senate Bill No. 2516 -- Insurance Companies, Agents, Brokers, Policies - As introduced, enacts the "Unclaimed Life Insurance Benefits Act". - Amends TCA Title 56; Title 62 and Title 66. by *Ketrn. (*HB2427 by *Sargent)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2533 -- Orme -- House Local Government Committee

House Bill No. 2534 -- Wilson County -- House Local Government Committee

House Bill No. 2535 -- New Johnsonville -- House Local Government Committee

House Bill No. 2536 -- Westmoreland -- House Local Government Committee

House Bill No. 2537 -- South Pittsburg -- House Local Government Committee

House Bill No. 2538 -- Orme -- House Local Government Committee

House Bill No. 2539 -- Erin -- House Local Government Committee

House Bill No. 2540 -- Greenbrier -- House Local Government Committee

House Bill No. 2541 -- Tipton County -- House Local Government Committee

House Bill No. 2542 -- Portland -- House Local Government Committee

DELAYED BILLS REFERRED

March 31, 2014

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Resolution(s) No(s). 207, was/were referred to the Delayed Bills Committee.

House Resolution No. 207 -- Memorials, Recognition - Hailey Taylor Day, May 23, 2104. by *Bailey.

CONSENT CALENDAR

House Bill No. 2495 -- General Assembly - As introduced, deletes obsolete language transferring the library maintained by the legislative council committee to the office of legal services. - Amends TCA Title 3 and Title 4. by *McDaniel.

House Bill No. 2091 -- Museums - As introduced, adds the president of the Tennessee historical society as an ex officio, nonvoting member of the Douglas Henry state museum commission. - Amends TCA Title 4, Chapter 20, Part 3. by *McDaniel.

On motion, House Bill No. 2091 was made to conform with **Senate Bill No. 2078**; the Senate Bill was substituted for the House Bill.

***House Resolution No. 154** -- General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to Tennessee rules of criminal procedure promulgated by the supreme court. by *Lundberg.

***House Resolution No. 155** -- General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to Tennessee rules of civil procedure promulgated by the supreme court. by *Lundberg.

***House Resolution No. 156** -- General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to Tennessee rules of appellate procedure promulgated by the supreme court. by *Lundberg.

***House Bill No. 2444** -- Fire Prevention and Investigation - As introduced, requires the commissioner of commerce and insurance to conduct a survey of governmental fire departments to ascertain how much responding to fires caused by negligent landowners costs and estimate how much of that cost could be recouped from the negligent parties. - Amends TCA Title 5; Title 6; Title 7 and Title 68. by *Kane.

***House Joint Resolution No. 543** -- General Assembly, Directed Studies - Requests the department of education to study and report on ways local education agencies are implementing the requirements of TCA 49-6-1021, which requires 90 minutes of physical activity per week. by *Pitts, *Johnson C, *Tidwell.

House Bill No. 2205 -- Veterans' Affairs, Dept. of - As introduced, permits any disabled veteran to receive a free disabled veteran decal to affix to any license plate issued by this state; such decal will afford the disabled driver the same parking privileges as a placard. - Amends TCA Title 55, Chapter 21 and Title 55, Chapter 4. by *Goins.

On motion, House Bill No. 2205 was made to conform with **Senate Bill No. 2098**; the Senate Bill was substituted for the House Bill.

House Bill No. 1942 -- Education - As introduced, permits municipalities to extend the terms of local school board members in order to comply with the general law and synchronize local elections to the general election. - Amends TCA Section 49-2-201. by *Hawk.

On motion, House Bill No. 1942 was made to conform with **Senate Bill No. 2063**; the Senate Bill was substituted for the House Bill.

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 535** -- Naming and Designating - Youth Art Month. by *Massey, *Crowe.

House Bill No. 2509 -- Manchester - As introduced, subject to local approval, rewrites the city charter. - Amends Chapter 65 of the Acts of 1905; as amended. by *Matheny.

House Resolution No. 195 -- Memorials, Personal Achievement - Olivia Crudup, Mix 92.9 Singing Star. by *Lamberth.

House Resolution No. 196 -- Memorials, Recognition - Dr. Gregory B. Liggins. by *Cooper.

House Resolution No. 197 -- Memorials, Recognition - Dr. Michael Nettles. by *Cooper.

House Resolution No. 199 -- Memorials, Recognition - Women's History Month, March 2014. by *Gilmore, *Miller.

House Resolution No. 200 -- Memorials, Death - Johnny MacRae. by *Littleton.

House Resolution No. 201 -- Memorials, Recognition - Douglas Ivy. by *Cooper.

House Joint Resolution No. 848 -- Memorials, Professional Achievement - Cindy Rule, Regional Secondary Teacher of the Year. by *Carr D, *Farmer.

House Joint Resolution No. 849 -- Memorials, Professional Achievement - Heather Burkhart, Regional Middle Grades Teacher of the Year. by *Carr D, *Farmer.

House Joint Resolution No. 851 -- Memorials, Retirement - Reverend George E. Wyatt. by *Johnson C, *Tidwell.

House Joint Resolution No. 852 -- Memorials, Recognition - Commemorates Lupus Awareness Month. by *Sargent.

House Joint Resolution No. 853 -- Memorials, Professional Achievement - Debra Leake Ward, 2014 Lauderdale County Teacher of the Year. by *Fitzhugh.

House Joint Resolution No. 854 -- Memorials, Recognition - Caley Williamson, participant, 2014 Albert H. Small Normandy: Sacrifice for Freedom Student and Teacher Institute. by *Faison.

House Joint Resolution No. 855 -- Memorials, Death - Carol Rebecca Hood. by *Faison.

House Joint Resolution No. 856 -- Memorials, Retirement - Connie Ball. by *Faison.

House Joint Resolution No. 857 -- Memorials, Sports - East Nashville Magnet School boys' basketball team, Class AA Runner Up. by *Turner M, *Hardaway.

House Joint Resolution No. 858 -- Memorials, Recognition - Commemorates National Healthy Schools Day. by *Gilmore.

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 859 -- Memorials, Retirement - Rev. Martin C. Singley, III. by *Matlock.

House Joint Resolution No. 860 -- Memorials, Retirement - Nancy Smith Roland. by *Shepard, *Evans.

House Joint Resolution No. 861 -- Memorials, Personal Occasion - Judge Kenneth Porter, 80th birthday. by *Faison.

House Joint Resolution No. 862 -- Memorials, Professional Achievement - Richard Kelley, Cotton Ginner of the Year. by *Moody.

House Joint Resolution No. 863 -- Memorials, Retirement - Anita Feuring. by *Moody.

House Joint Resolution No. 864 -- Memorials, Recognition - Tierra Thaxton. by *McDaniel.

House Joint Resolution No. 865 -- Memorials, Professional Achievement - Dr. Andrea Fayeth Anthony, 2013-2014 NASSP Tennessee Principal of the Year. by *Casada.

House Joint Resolution No. 866 -- Memorials, Recognition - National Salvation Army Week, May 12-18, 2014. by *White M.

House Joint Resolution No. 867 -- Memorials, Academic Achievement - Maggie Singleton, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 868 -- Memorials, Academic Achievement - Alyssa Nichole Hopkins, Salutatorian, Hancock County High School. by *Harrison.

House Joint Resolution No. 869 -- Memorials, Academic Achievement - Dakota Martin Stapleton, Valedictorian, Hancock County High School. by *Harrison.

House Joint Resolution No. 870 -- Memorials, Academic Achievement - Allison Laurel Franklin, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 871 -- Memorials, Academic Achievement - Taylor Seals, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 872 -- Memorials, Academic Achievement - Nicholas Davis, 2014 Academic Achiever, Cherokee High School. by *Harrison.

House Joint Resolution No. 873 -- Memorials, Death - Fred Sandidge. by *Harrison.

House Joint Resolution No. 874 -- Memorials, Death - James Heiskell Rogan. by *Harrison.

House Joint Resolution No. 875 -- Memorials, Death - Edward C. "Duck" Hodges. by *Harrison.

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 876 -- Memorials, Heroism - Church Hill Police Officer Daniel Byington. by *Harrison.

House Joint Resolution No. 877 -- Memorials, Heroism - Church Hill Police Officer Ethan Mays. by *Harrison.

House Joint Resolution No. 878 -- Memorials, Heroism - Church Hill Asst. Police Chief Roddy Miller. by *Harrison.

House Joint Resolution No. 879 -- Memorials, Heroism - Church Hill volunteer firefighter Luke Wood. by *Harrison.

House Joint Resolution No. 880 -- Memorials, Heroism - Sophia Toney. by *Harrison.

House Joint Resolution No. 881 -- Memorials, Recognition - Ennis Jefferson Hurdle, Jr. by *Rich.

House Joint Resolution No. 882 -- Memorials, Recognition - CreatiVets. by *Rich.

House Joint Resolution No. 883 -- Memorials, Recognition - The late Dr. Ann Campbell. by *White D.

House Joint Resolution No. 884 -- Memorials, Interns - James K. White. by *McCormick.

House Joint Resolution No. 885 -- Memorials, Retirement - Roger Lewis. by *Pitts.

House Joint Resolution No. 886 -- Memorials, Recognition - Reverend Robert P. Harris, Jr. by *Pitts, *Johnson C, *Tidwell.

House Joint Resolution No. 887 -- Memorials, Death - Gordon E. Wright, Sr. by *Ramsey, *Swann, *Carr D.

House Joint Resolution No. 888 -- Memorials, Academic Achievement - Alex Britt, Valedictorian, Lebanon High School. by *Pody.

House Joint Resolution No. 889 -- Memorials, Academic Achievement - Katlin Eakes, Salutatorian, Lebanon High School. by *Pody.

Senate Joint Resolution No. 665 -- Memorials, Academic Achievement - Samantha Stone, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 666 -- Memorials, Academic Achievement - Jacob Baker, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 667 -- Memorials, Academic Achievement - Alexander Morgan Byrd, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 669 -- Memorials, Academic Achievement - James Kaleb Anderson, Salutatorian, Westmoreland High School. by *Haile.

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 670 -- Memorials, Academic Achievement - Sierra Cothron, Salutatorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 671 -- Memorials, Academic Achievement - Dana Lynn Morris, Valedictorian, Westmoreland High School. by *Haile.

Senate Joint Resolution No. 672 -- Memorials, Death - Donald Thomas "Duck" Wicks. by *Yager.

Senate Joint Resolution No. 674 -- Memorials, Personal Achievement - Nolan "Dude" Northcutt, 100th birthday. by *Beavers.

Senate Joint Resolution No. 675 -- Memorials, Academic Achievement - Jacqueline A. Pulliam, Salutatorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 676 -- Memorials, Sports - Elizabethton High School, Class AA girls basketball state champions. by *Crowe.

Senate Joint Resolution No. 677 -- Memorials, Academic Achievement - Adam Neal, Valedictorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 678 -- Memorials, Professional Achievement - Bob's Body Shop, 55th Anniversary. by *Burks.

Senate Joint Resolution No. 679 -- Memorials, Death - Donald M. Elkins. by *Burks.

Senate Joint Resolution No. 680 -- Memorials, Death - Dr. Nat T. Winston, Jr. by *Dickerson, *Henry.

Senate Joint Resolution No. 681 -- Memorials, Retirement - Donald Neal Day. by *Haile.

Senate Joint Resolution No. 682 -- Memorials, Death - Warren Douglas Haun. by *McNally.

Senate Joint Resolution No. 708 -- Memorials, Academic Achievement - Phillip Michael Byrd, Valedictorian, Westmoreland High School. by *Haile.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2509: by Rep. Matheny

Under the rules and House Bill(s) No(s). 2509 were placed at the heel of the calendar for April 2, 2014.

Rep. Gilmore moved that all members voting aye on House Resolution No. 199 be added as co-prime sponsors with the female legislators listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell – 94

Representatives present and not voting were: Kane – 1

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1469** -- Lake City - As introduced, changes the name of the city of Lake City to the city of Rocky Top. - Amends Chapter 227 of the Private Acts of 1992; and any other acts amendatory thereto. by *Ragan, *Powers. (SB2323 by *McNally)

Rep. Ragan moved that House Bill No. 1469 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1469 By deleting Sections 3 and 4 in their entirety and by substituting instead the following:

SECTION 3. This act shall have no effect unless:

(1) It is approved by a two-thirds (2/3) vote of the board of mayor and council of the city of Lake City. Its approval or nonapproval shall be proclaimed by the presiding officer of the board of mayor and council of the city of Lake City and certified to the secretary of state;

(2) The cost of the manufacture and installation of such signs is paid to the department of transportation from non-state funds by December 1, 2014. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department. The erection of such signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices; and

(3) The federal highway administrator advises the commissioner of transportation in writing by December 1, 2014, that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to

penalties prescribed therein. A copy of such notification shall be delivered by the department to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act pursuant to Section 3(1), it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Holt moved the previous question, which motion prevailed.

Rep. Ragan moved that **House Bill No. 1469**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives present and not voting were: Armstrong, Cooper, McCormick -- 3

A motion to reconsider was tabled.

***House Bill No. 1520** -- Judges and Chancellors - As introduced, removes the requirement that judges must complete POST training in order to carry a firearm in the discharge of the judge's official duties. - Amends TCA Section 39-17-1306. by *McDaniel. (SB1955 by *Gresham, *Hensley, *Campfield, *Bowling, *Stevens, *Gardenhire, *Niceley, *Southerland, *Burks, *Bell, *Summerville)

Rep. McDaniel moved that **House Bill No. 1520** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives present and not voting were: Akbari -- 1

A motion to reconsider was tabled.

***House Bill No. 1440** -- Workers Compensation - As introduced, revises various provisions relative to workers' compensation. - Amends TCA Section 50-6-102; Section 50-6-104; Section 50-6-118; Section 50-6-125; Section 50-6-204; Section 50-6-207; Section 50-6-242; Section 50-6-412; Section 50-6-501; Section 50-6-902 and Title 50, Chapter 9, Part 1. by *McCormick, *Lundberg, *Brooks K. (SB1645 by *Norris, *Johnson)

Rep. Lundberg moved that House Bill No. 1440 be reset for the Regular Calendar on April 3, 2014, which motion prevailed.

***House Bill No. 2445** -- Agriculture - As introduced, authorizes growing of industrial hemp subject to regulation by the department of agriculture. - Amends TCA Title 39; Title 43; Title 53 and Title 67. by *Faison, *Casada, *Miller, *Holt, *Hardaway, *Sexton, *Bailey, *Powell, *Parkinson. (SB2495 by *Niceley)

Rep. Faison moved that House Bill No. 2445 be passed on third and final consideration.

Rep. Rich moved the previous question, which motion prevailed by the following vote:

Ayes 70
Noes..... 21

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Durham, Eldridge, Evans, Faison, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hill M, Hill T, Holt, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lynn, Marsh, Matheny, McDaniel, McManus, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick -- 70

Representatives voting no were: Akbari, Cooper, DeBerry J, Dunn, Farmer, Floyd, Gilmore, Hawk, Haynes, Jernigan, Jones, Lollar, Lundberg, Matlock, McCormick, Miller, Odom, Shaw, Shepard, Spivey, Weaver -- 21

Rep. Faison moved that **House Bill No. 2445** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 5

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Floyd, Forgety, Hawk, Lollar, Shaw -- 5

A motion to reconsider was tabled.

House Bill No. 1852 -- Employees, Employers - As introduced, creates the "Employee Online Privacy Act of 2014" which prevents an employer from requiring an employee to disclose the username and password for the employee's personal internet account except under certain circumstances. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 18; Title 49 and Title 50. by *Roach, *Faison. (*SB1808 by *Niceley)

On motion, House Bill No. 1852 was made to conform with **Senate Bill No. 1808**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1808 be passed on third and final consideration.

Rep. Faison moved that Senate Bill No. 1808 be reset for the Regular Calendar on April 2, 2014, which motion prevailed.

House Bill No. 2163 -- Codes - As introduced, prohibits the enforcement of Section 501.3 of the 2012 International Residential Code until January 1, 2016, which requires that floor assemblies be fire resistance rated. - Amends TCA Section 68-120-101. by *Powell. (*SB2282 by *Dickerson)

Rep. Powell moved that House Bill No. 2163 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2163 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-120-101, is amended by adding the following new subsection:

(h) The words “or fuel-fired appliances” in exception 2 of R501.3 of the 2012 International Residential Code, published by the International Code Council, Inc., shall be disregarded by any state or local government official in determining the applicability of R501.3 to any residential construction prior to January 1, 2016.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Powell moved that **House Bill No. 2163**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2356 -- Sales - As introduced, makes it an offense, punishable as a Class A misdemeanor, for any person to establish, promote, or operate a pyramid promotional scheme in this state. - Amends TCA Title 47. by *Durham, *Hardaway. (*SB2130 by *Johnson)

Rep. Durham moved that House Bill No. 2356 be passed on third and final consideration.

Rep. Watson requested that Criminal Justice Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2356 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding the following as a new part:

47-18-5601.

For purposes of this part:

(1) "Appropriate inventory repurchase program" means a program by which a plan or operation repurchases, upon request and upon commercially reasonable terms, when the salesperson's business relationship with the company ends, current and marketable inventory in the possession of the salesperson and purchased by the salesperson for resale, and such plan or operation clearly describes the program in its recruiting literature, sales manual, or contract with independent salespersons, including but not limited to, disclosure of any inventory that is not eligible for repurchase under the program. For purposes of this subdivision (1):

(A) "Commercially reasonable terms" means the repurchase of current and marketable inventory within twelve (12) months from date of purchase at not less than ninety percent (90%) of the original net cost, less appropriate set-offs and legal claims, if any;

(B) "Current and marketable" excludes inventory that:

(i) Is no longer within its commercially reasonable use or shelf-life period;

(ii) Was clearly described to salespersons prior to purchase as seasonal, discontinued, or special promotion products not subject to the plan or operation's inventory repurchase program; or

(iii) Has been used or opened; and

(C) "Inventory" includes both goods and services, including, but not limited to, company-produced promotional materials, sales aids, and sales kits that the plan or operation requires independent salespersons to purchase;

(2) "Compensation":

(A) Means a payment of any money, thing of value, or financial benefit conferred in return for inducing another person to become a participant in a pyramid promotional scheme; and

(B) Does not include payments that are based on sales of goods or services by a person to others, including anyone who is purchasing the goods or services for actual use or consumption, so long as the plan or operation does not promote inventory loading and implements an appropriate inventory repurchase program;

(3) "Consideration":

(A) Means the payment of cash or the purchase of goods, services, or intangible property; and

(B) Does not include:

(i) The purchase of goods or services furnished at cost to be used in making sales and not for resale; or

(ii) Time and effort spent in pursuit of sales or recruiting activities; and

(4) "Inventory loading" means that the plan or operation requires or encourages its independent salespersons to purchase inventory or services in an amount that unreasonably exceeds what the salesperson can expect to resell for ultimate consumption or consume in a reasonable time period;

(5) "Participant" means a person who gives consideration for the opportunity to receive compensation in return for inducing others to join a pyramid promotional scheme;

(6) "Person" means an individual, a corporation, a partnership, or any association or unincorporated organization;

(7) "Promotes" means to contrive, prepare, establish, plan, operate, advertise, or to otherwise induce or attempt to induce another person to be a participant in a pyramid promotional scheme; and

(8) "Pyramid promotional scheme":

(A) Means any plan or operation by which a participant gives consideration for the opportunity to receive compensation that is derived primarily from the introduction of other persons into the plan or operation rather than from the sale and consumption of goods, services, or intangible property by a participant or other persons introduced into the plan or operation; and

(B) Includes a plan or operation under which:

(i) The number of persons who may participate is limited either expressly or by the application of conditions affecting the eligibility of a person to receive compensation under the plan or operation; or

(ii) A participant, on giving any consideration, obtains any goods, services, or intangible property in addition to the right to receive compensation.

(C) Nothing in this part may be construed to prohibit a plan or operation, or to define a plan or operation as a pyramid promotional scheme, based on the fact that participants in the plan or operation give consideration in return for the right to receive compensation based upon purchases of goods, services, or intangible property by participants for personal use, consumption, or resale so long as the plan or operation does not promote or induce inventory loading and the plan or operation implements an appropriate inventory repurchase program.

47-18-5602.

(1) It is an offense for any person to knowingly establish, promote, or operate any pyramid promotional scheme in this state.

(2) A limitation as to the number of persons who may participate or the presence of additional conditions affecting eligibility for the opportunity to receive compensation under the plan does not change the identity of the plan as a pyramid promotional scheme nor is it a defense under this section.

47-18-5603.

Nothing in this part shall limit the authority of any state official from proceeding against pyramid promotional schemes for other violations of state law.

47-18-5604.

(a) The attorney general may, upon finding that any person is engaged in or about to engage in any act or practice that constitutes a pyramid promotional scheme in violation of this part, bring an action in the appropriate court of jurisdiction to enjoin such act or practice and to obtain other appropriate relief.

Such court may grant a temporary restraining order, or a preliminary or permanent injunction, or other appropriate relief.

(b) Upon a determination by a court that a violation of § 47-18-5602 has occurred, a court may impose by order and collect a civil penalty of not more than ten thousand dollars (\$10,000) per violation per person.

(c) The attorney general may bring actions in circuit court to recover penalties pursuant to this section. In determining the amount of the civil penalty, a court shall consider the magnitude of the offense, prior offenses and compliance history, the good faith of the person charged in attempting to achieve compliance, and other matters as justice may require.

(d) All penalties collected pursuant to this part shall be deposited in the general fund.

47-18-5605.

A violation of this part is a Class A misdemeanor.

47-18-5606.

A person who only participates in a pyramid promotional scheme may not be prosecuted under this part for any violation of this part. However, a person who knowingly establishes, promotes, or operates a pyramid promotional scheme shall be subject to prosecution pursuant to this part.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Watson moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Jernigan moved the previous question, which motion prevailed.

Rep. Durham moved that **House Bill No. 2356**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	3
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock,

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Spivey, Swann, Tidwell, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Parkinson, Shaw, Stewart -- 3

Representatives present and not voting were: Armstrong, Turner M -- 2

A motion to reconsider was tabled.

House Bill No. 2304 -- Child Abuse - As introduced, adds the offense of promoting prostitution to the list of offenses constituting severe child abuse. - Amends TCA Title 36, Chapter 1, Part 1; Title 37, Chapter 1 and Title 39, Chapter 13, Part 5. by *Littleton, *Holt, *Dennis, *Weaver, *Lundberg, *Goins, *Durham, *Moody, *Hardaway, *Coley, *White M. (*SB1660 by *Kelsey, *Ketron, *Overbey, *Yager)

On motion, House Bill No. 2304 was made to conform with **Senate Bill No. 1660**; the Senate Bill was substituted for the House Bill.

Rep. Littleton moved that **Senate Bill No. 1660** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2361 -- Public Records - As introduced, prevents certain disclosures of information regarding victims of sexual offenses. - Amends TCA Title 10, Chapter 7, Part 5 and Title 16, Chapter 3, Part 4. by *Littleton, *Hardaway. (*SB2254 by *Massey)

Rep. Littleton moved that House Bill No. 2361 be reset for the Regular Calendar on April 2, 2014, which motion prevailed.

***House Bill No. 1989** -- Schools, Charter - As introduced, revises the provisions governing the revocation or nonrenewal of a public charter school agreement. - Amends TCA Title 49. by *White D, *White M, *Brooks H, *Powell. (SB2285 by *Dickerson)

On motion, House Bill No. 1989 was made to conform with **Senate Bill No. 2285**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that Senate Bill No. 2285 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Camper moved the previous question, which motion prevailed.

Rep. D. White moved that **Senate Bill No. 2285** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 2415** -- Sexual Offenses - As introduced, includes the offense of patronizing prostitution, where the victim is a minor, in the definition of "sexual offense" for purposes of sex offender registration. - Amends TCA Title 39, Chapter 13, Part 5 and Title 40, Chapter 39, Part 2. by *White D. (SB2564 by *Kelsey)

On motion, House Bill No. 2415 was made to conform with **Senate Bill No. 2564**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that Senate Bill No. 2564 be passed on third and final consideration.

Rep. Casada moved the previous question, which motion prevailed.

MONDAY, MARCH 31, 2014 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. D. White moved that **Senate Bill No. 2564** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: Cooper, Turner J -- 2

A motion to reconsider was tabled.

House Bill No. 2217 -- Local Education Agencies - As introduced, defines as confidential, information relative to school safety plans; provides that meetings involving school safety plans are not subject to the open meetings laws. - Amends TCA Title 8; Title 10 and Title 49. by *Weaver, *Dunn, *Brooks H, *White D, *Moody, *Kane. (*SB2073 by *Haile, *Bowling, *Finney)

On motion, House Bill No. 2217 was made to conform with **Senate Bill No. 2073**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that Senate Bill No. 2073 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Weaver moved that **Senate Bill No. 2073** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M,

Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1774 -- Probation and Parole - As introduced, requires appointing authorities for the private probation services council to strive to ensure that the council is composed of members who are diverse in professional or educational background, ethnicity, race, gender, geographic residency, heritage, perspective and experience. - Amends TCA Title 16 and Title 40. by *Sparks, *Hardaway. (*SB1891 by *Campfield, *Summerville)

Rep. Sparks moved that House Bill No. 1774 be reset for the Regular Calendar on April 7, 2014, which motion prevailed.

***House Bill No. 714** -- Law Enforcement - As introduced, prohibits bounty hunters in the course of their work from wearing clothing that indicates they are associated with law enforcement; requires bounty hunters to wear identifying insignia if they are in a uniform in the course of their work. by *Hall, *Hardaway. (SB899 by *Campfield)

Rep. Hall moved that House Bill No. 714 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 714 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-318, is amended by adding the following language as a new, appropriately designated subsection:

() No bounty hunter shall wear, carry, or display any uniform, badge, shield, card, or other item with any printing, insignia, or emblem that purports to indicate that such bounty hunter is an employee, officer, or agent of any local, state or federal government or any political subdivision of any local, state or federal government.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Hall moved that **House Bill No. 714**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2514 -- Collierville - As introduced, subject to local approval, authorizes that salaries of the mayor, vice-mayor and aldermen be set by resolution of the board of mayor and aldermen rather than setting specific salary amounts in the charter. - Amends Chapter 43 of the Private Acts of 2001. by *Todd, *Hardaway. (SB2616 by *Norris)

Rep. McCormick moved that House Bill No. 2514 be reset for the Regular Calendar on April 2, 2014, which motion prevailed.

House Bill No. 2300 -- Corporations, Not for Profit - As introduced, enables industrial development corporations to enter into loan agreements for activities, costs, debt restructuring or working capital associated with projects and permits industrial development corporations to forgive debt and transfer assets as well as property held by the corporation. - Amends TCA Title 7, Chapter 53. by *Todd. (*SB2420 by *Norris)

Rep. McCormick moved that House Bill No. 2300 be reset for the Regular Calendar on April 2, 2014, which motion prevailed.

House Bill No. 964 -- Planning, Public - As introduced, allows development standards in effect on date of application for building permit or approval of preliminary plat or site plan to remain the standards for final approval of the development. - Amends TCA Section 13-4-310 and Section 13-3-413. by *Todd, *Durham, *Littleton, *Evans, *Rich, *Casada, *Johnson C, *Dennis, *Faison, *Hill M, *Pitts, *Shepard, *Hardaway. (*SB915 by *Niceley, *Green, *Bowling)

Rep. McCormick moved that House Bill No. 964 be reset for the Regular Calendar on April 2, 2014, which motion prevailed.

House Bill No. 1857 -- Tennessee Higher Education Commission - As introduced, expands the duties of the executive director of THEC to ensure institutions develop and use electronic instructional materials and related information technology accessible to individuals with disabilities; creates the Accessibility Task Force to establish conformity with the director's new duties. - Amends TCA Title 49, Chapter 7, Part 2 and Title 49, Chapter 7, Part 20. by *Williams R, *Jernigan, *Pitts, *Dunn, *Brooks H, *DeBerry J, *Roach, *Akbari, *White M, *Coley, *Kane. (*SB1692 by *Massey, *Gardenhire, *Tate, *Burks, *Crowe)

On motion, House Bill No. 1857 was made to conform with **Senate Bill No. 1692**; the Senate Bill was substituted for the House Bill.

Rep. R. Williams moved that Senate Bill No. 1692 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. R. Williams moved that **Senate Bill No. 1692** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2309 -- Motor Vehicles, Titling and Registration - As introduced, permits the commissioner of revenue to delegate certain duties to the county clerks relative to the taxation, titling, registration, and regulation of motor vehicles. - Amends TCA Title 55. by *Wirgau. (*SB2074 by *Haile)

On motion, House Bill No. 2309 was made to conform with **Senate Bill No. 2074**; the Senate Bill was substituted for the House Bill.

Rep. Wirgau moved that Senate Bill No. 2074 be passed on third and final consideration.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Wirgau moved that **Senate Bill No. 2074** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry

J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2246 -- Education, Higher - As introduced, regulates transfer pathways for transfer between public institutions of higher education. - Amends TCA Title 49, Chapter 7, Part 2. by *Forgety. (*SB2362 by *Gresham)

Rep. Forgety moved that House Bill No. 2246 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2246 By deleting the first sentence in the amendatory language of subsection (g) of SECTION 2 of the bill and substituting instead:

Notwithstanding any law or rule to the contrary, the commission, in consultation with the board of regents and the University of Tennessee board of trustees, shall develop policies under which a person who satisfies the admissions requirements of a two-year institution governed by the board of regents and a four-year institution governed by the board of regents or the University of Tennessee board of trustees may be admitted to both such institutions.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Forgety moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2246 by deleting the language “(e)(1)(D)” in the amendatory language of subdivision (e)(4) of SECTION 1 and substituting instead the language “(e)(2)(D)”.

On motion, Amendment No. 2 was adopted.

Rep. Forgety moved that **House Bill No. 2246**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Durham voted "aye" on **House Bill No. 2246**.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 702** -- Schools, Charter - As introduced, extends from 10 days to 20 days the time for appeal from a decision denying an application from the LEA to the state board of education. - Amends TCA Title 49. by *White M, *Carter, *Hawk, *Harrison. (SB830 by *Gresham, *Kelsey, *Green)

Senate Amendment No. 5

AMEND House Bill No. 702 By deleting in the directory language of Section 1 the language "subdivision (4)" and substituting instead "subdivision (5)" and by deleting in the amendatory language of Section 1 the language "(4)" and substituting instead "(5)".

AND FURTHER AMEND by deleting Section 6 in its entirety and substituting instead the following:

SECTION 6. Tennessee Code Annotated, Section 49-13-108(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) This section shall apply only to applications for new charter schools under § 49-13-106(b)(1) that are submitted to an LEA.

AND FURTHER AMEND by deleting in the directory language of Section 7 the language "49-13-108(a)(3)" and substituting instead the language "49-13-108(a)(4)" and by deleting in the amendatory language of Section 7 the language "(3)" and substituting instead the language "(4)":

AND FURTHER AMEND by deleting in subdivision (c)(2) of the amendatory language of Section 15 the language “49-13-108(a)(3)” and substituting instead the language “49-13-108(a)(4)”.

AND FURTHER AMEND by deleting in its entirety Section 17 (the effective date section) and substituting instead the following:

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to appeals from the denial of applications filed by sponsors

for charter schools proposing to open in the 2015-2016 school year and school years thereafter.

Rep. M. White moved that the House concur in Senate Amendment No. 5.

Rep. Fitzhugh moved that House Bill No. 702 be re-referred to the House Finance, Ways and Means Committee.

Rep. McCormick moved that the motion to re-refer **House Bill No. 702** to the Finance, Ways and Means Committee be tabled, which motion prevailed by the following vote:

Ayes 59
Noes..... 35

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Holt, Johnson C, Kane, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Moody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shipley, Sparks, Spivey, Travis, Watson, Weaver, White D, White M, Williams R, Wirgau, Madam Speaker Harwell -- 59

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, DeBerry J, Dunn, Favors, Fitzhugh, Gilmore, Hardaway, Hill M, Hill T, Jernigan, Johnson G, Jones, Keisling, Love, Matheny, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Shaw, Shepard, Stewart, Tidwell, Turner J, Turner M, Van Huss, Williams K, Windle, Womick -- 35

Rep. M. White moved that House Bill No. 702 be reset for the Message Calendar on April 14, 2014, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1742** -- Criminal Procedure - As introduced, permits expunction of multiple criminal convictions if the convictions are based on the same criminal event and all offenses are eligible for expunction individually. - Amends TCA Section 40-32-101. by *Matheny, *Sparks, *Camper, *Akbari, *Hardaway, *Gilmore, *Cooper, *Favors, *Miller, *Shaw, *Turner J. (SB2379 by *Bowling, *Tate, *Harper)

Senate Amendment No. 2

AMEND House Bill No. 1742 By deleting subdivision (D) of the amendatory language of SECTION 1 and substituting instead the following:

(D) A person who was convicted of more than one (1) of the offenses listed in subdivision (g)(1), if the conduct upon which each conviction is based occurred contemporaneously, at the same location, represented a single continuous criminal episode with a single criminal intent and all such convictions are eligible for expunction under this part. The offenses of a person who is an eligible petitioner under this subdivision (g)(1)(D) shall be considered a single offense for the purposes of this section so that the person is eligible for expunction consideration if all other requirements are met.

Rep. Matheny moved that the House concur in Senate Amendment No. 2 to House Bill No. 1742.

Rep. Camper moved the previous question, which motion prevailed.

Rep. Matheny moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1742**, which motion prevailed by the following vote:

Ayes 94
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Floyd, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Evans, Windle -- 2

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1799** -- Education, Dept. of - As introduced, revises the reason for which an LEA may apply to the commissioner for a waiver of a state board rule or regulation from "it inhibits or hinders the LEA's ability to implement innovative programs designed to improve student achievement" to "it inhibits or hinders the LEA's ability to meet its goals or comply with its mission". - Amends TCA Title 49, Chapter 1. by *Swann, *Forgety, *Fitzhugh, *White M, *Marsh, *Brooks H, *Casada. (SB2392 by *Overbey, *McNally, *Burks, *Yager)

Senate Amendment No. 1

AMEND House Bill No. 1799 by deleting the language “and” at the end of subdivision (J) in SECTION 1 of the bill.

AND FURTHER AMEND by adding the following language as new, appropriately designated subdivisions:

(L) Employee rights, salaries and benefits; and

(M) Licensure of employees.

Rep. Swann moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1799**, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Fitzhugh moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 733 out of order which motion prevailed.

Senate Joint Resolution No. 733 -- Memorials, Public Service - Senator Lowe Finney. by *Kyle.

Rep. Fitzhugh moved that all members voting aye on Senate Joint Resolution No. 733 be added as co-prime sponsors, which motion prevailed with the following members not added

pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

On motion of Rep. Fitzhugh, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Dunn moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 904 out of order which motion prevailed.

House Joint Resolution No. 904 -- Memorials, Death - U.S. Navy Midshipman William Dean McKamey. by *Dunn.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Dunn moved that all members voting aye on House Joint Resolution No. 904 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

On motion of Rep. Dunn the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 1774** to be heard in the Government Operations Committee this week.

Without objection, it was so ordered.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 2, 2014:

House Bill No. 2270: by Rep. Akbari

House Joint Resolution No. 773: by Rep. Casada

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1386 Rep(s). Rogers as prime sponsor(s).

3422

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Bill No. 1466 Rep(s). Ragan, Coley Stewart and Lamberth as prime sponsor(s).

House Bill No. 1507 Rep(s). Carter as prime sponsor(s).

House Bill No. 1852 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1877 Rep(s). Rogers as prime sponsor(s).

House Bill No. 2027 Rep(s). Sargent as prime sponsor(s).

House Bill No. 2290 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 2361 Rep(s). Durham, D. White, Watson, Evans, Todd, Weaver, Goins, Eldridge, Casada and Hardaway as prime sponsor(s).

House Bill No. 2461 Rep(s). Ramsey as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s) Travis and Love was/were removed as sponsor(s) of **House Bill No. 2303**.

ENROLLED BILLS

March 31, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 937; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR

March 31, 2014

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 790, 792, 793, 794, 795, 796, 798, 799, 800 and 831; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

ENGROSSED BILLS

March 31, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2444;

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS

March 31, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1520;

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 31, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 915; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 915** -- Planning, Public - As introduced, allows development standards in effect on date of application for building permit or approval of preliminary plat or site plan to remain the standards for final approval of the development. - Amends TCA Section 13-4-310 and Section 13-3-413. by *Niceley, *Green, *Bowling. (HB964 by *Todd, *Durham, *Littleton, *Evans, *Rich, *Casada, *Johnson C, *Dennis, *Faison, *Hill M, *Pitts, *Shepard, *Hardaway)

ENGROSSED BILLS

March 31, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2163;

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS

March 31, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 904;

GREG GLASS, Interim Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

RECESS

On motion of Rep. McCormick the House stood in recess until 9:00 a.m., Wednesday, April 2, 2014.